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SUBJECT: Prostitution, Human Trafficking, and U.S. Immigration

¶1. Summary: As a country facing major development and governance challenges, the Philippines remains a place where prostitution and human trafficking continue to afflict the lives of Filipino women, some of whom may seek better lives abroad through legal or illegal immigration. An analysis of consular data and other sources indicates that at least some of these women pursue U.S. immigration to seek new economic opportunities and to escape a life of prostitution. However the data also show that there are few instances, if any, of women trafficked into the U.S directly from the Philippines for the purpose of commercial sexual exploitation. This cable examines the structure of the commercial sex industry in the Philippines and its connection to human trafficking, and provides a brief analysis of consular data on female commercial sex workers applying for U.S. visas. End Summary.

PROSTITUTION IN THE PHILIPPINES

¶2. Prostitution is a crime in the Philippines, and is heavily concentrated in the major metropolitan areas of Manila, Cebu, and Davao, as well as in Angeles City, the region of Bicol, and the province of Batangas. There are no recent estimates of the number of prostitutes in the Philippines, although an International Labor Organization study from 1998 often cited in prostitution research estimated that the commercial sex industry in the Philippines involved, at that time, as many as over 500,000 women and children. NGOs say that women who serve as bar workers or "Guest Relations Officers" (GRO) at nightclubs are at risk for engaging in prostitution. Women in other environments may also perform work as prostitutes, in addition to working in brothels. According to U.S. Immigration and Customs Enforcement (ICE) officers at Embassy Manila and the Visayan Forum Foundation (VFF), an NGO working to rescue Filipino trafficking victims, there is a small but increasing number of male prostitutes. The Embassy Manila ICE office, which investigates these trafficking centers and prostitution cases first-hand, has noted that the general hierarchy in a prostitution ring consists of 15 to 300 girls who are supervised by a few "mama-sans," or female pimps. The mama-sans answer to one or two managers, who in turn report to the owner of the establishment.

¶3. While some foreign clients are known to engage in illicit sexual activity with prostitutes, local Filipinos are actually the most common patrons of female sex workers at bars, nightclubs, beach resorts, health clubs, massage parlors, hotels, and brothels. VFF estimates that about 70% of prostitution clientele are local Filipinos, and only 30% are foreigners. NGOs ascertain that foreign men looking for commercial sex appear to be drawn to the Philippines because of the country's welcoming people and hospitable culture.

¶4. According to reports in 2007 from a USAID-funded NGO, men may pay as little as 150 - 200 Pesos (USD 3-4) per night to engage in sex with a woman, who may receive a payment as low as P20 (40 cents), estimates corroborated by the VFF. Prostitution may be supported by a system of debt bondage. Though girls receive some money for their work as prostitutes, bar or brothel owners may charge them such exorbitant fees for housing, food, and medical checkups that the girls remain indefinitely in debt to the owner. A highly profitable trade, the sex industry in the Philippines remains

a significant underground enterprise.

LOCAL SUPPORT FOR THE COMMERCIAL SEX INDUSTRY

15. Embassy Manila's ICE office reports that many bars, hotels, and privately-operated social hygiene clinics work together to facilitate prostitution within their own business domains, each getting a cut that incentivizes their complicity. The Health Office of Angeles City told Post that, in that city, GROs are required by municipal law to have weekly medical checkups to be allowed to continue working. Other cities may have different health requirements for GROs. While some cities implement these regulations to preserve the social hygiene of the community, other cities impose these requirements because the prostitution market plays an important role in the local economy. Embassy Manila's ICE office has noted that social hygiene clinics sometimes operate closely with the local bars, certifying both a prostitute's sexual health and her virginity. Local law enforcement may also buoy the industry by providing protection for GRO bars. Bar owners pay local authorities to overlook the illegal activity; if any trouble arises, GROs may be at risk of arrest, while bar owners and management may sometimes walk away unscathed.

PROSTITUTION AS A GATEWAY TO HUMAN TRAFFICKING

16. Human trafficking is the world's third most profitable organized crime, according to the Department of State's 2009 Trafficking in Persons Report, and in many countries is often linked to

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prostitution, as is the case in the Philippines. As noted in the Report, Filipinos may be trafficked within the country and internationally for purposes of commercial sexual exploitation or forced labor. VFF notes that about 85% of victims that it rescues are internally trafficked from the Visayas and Mindanao regions. These victims are typically girls and young women aged 12 to 22. Trafficked women older than 22 years of age may be considered too old for the commercial sex industry.

PROFILE OF A PROSTITUTE

17. Mission Manila's Diplomatic Security and ICE offices, through their close work with NGOs and Philippine law enforcement, have noted that women enter prostitution because of their economic or social circumstances, not out of personal interest in the commercial sex industry. According to an Embassy Manila report, many women involved in the sex industry come from extreme poverty, often trading sex for money to purchase basic necessities such as food and water for themselves and their families. ICE interviews with Philippine trafficking victims indicate that, given any other viable option, nearly all of these women would seek another way to earn money. Many prostitutes optimistically hope that a foreign man will marry them, enabling their subsequent emigration from the Philippines.

18. As NGO and Mission Manila reports indicate, women migrate from economically depressed regions of the Philippines to seek decent work in big port cities such as Manila and Cebu to support relatives back in their hometowns. Sometimes, these women are lured by close friends, relatives and even parents who have sold them to mama-sans for commercial sexual exploitation. Other women, some of whom become victims of human trafficking, go abroad through legitimate means to countries such as Japan and Korea to work as "entertainers" in bars and night clubs where they may be subjected to sexual abuse, harassment, and violence.

U.S. IMMIGRATION CONCERNS

¶9. While Philippine prostitutes are unlikely to qualify for U.S. visas, that does not stop them from applying, as evidenced by Embassy Manila's consular data. Between 2000 and 2009, Embassy Manila documented that 28 out of over 500,000 total visa applicants were refused visas because of a 212(a)(2)(D) ineligibility, disqualifying applicants for ten years if they have traded sex for commercial gain. While all U.S. visa applicants are required to submit a police background check with their applications, most of these 28 women identified as prostitutes had no criminal records. It is usually only through an honest admission of guilt that consular officers are made aware of this derogatory evidence.

¶10. Mission Manila's ICE office believes that former sex workers in the Philippines are most likely to attempt to immigrate to the U.S. using K-visas (fiance visas). Of the 28 applicants refused in Manila, 18 were applicants for fiance visas, while the remainder had spousal immigrant visa petitions. Women applying through spousal or other immediate relative-based visa petitions are considered to be less likely to be engaged in prostitution. These women have children, siblings or parents in the U.S. willing to support their immigration and most probably receive remittances from these relatives to support their livelihoods while the immigrant visa applications are being processed.

¶11. Mission Manila law enforcement officials believe that prostitution is only a temporary job for most prostitutes. When these women are able to arrange better employment and earn money for their families through other means, they usually leave the sex industry.

¶12. Although the Philippines is a source country for human trafficking victims, direct trafficking for commercial sex or forced labor from the Philippines to the U.S. is not a widespread problem. According to a 2002 United Nations survey on human trafficking in the Philippines, human traffickers and their victims sometimes gain access to the U.S. via transit countries such as Malaysia.

COMMENT

¶13. Widespread prostitution in the Philippines poses many concerns for Mission Manila -- especially the Consular Section. The possibility that visa applicants may be trafficked for sexual exploitation always exists; however, as evidenced by data from several sources, applicants from the Philippines bear a low risk for being trafficked directly to the U.S. Embassy Manila research indicates that women involved in this illicit sex trade, whether deceived or forced by extreme economic circumstances, see

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prostitution as a life from which they must escape.

KENNEY